

BOARD OF MAYOR AND ALDERMEN

October 19, 2004

7:30 PM

Mayor Baines called the meeting to order.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault and Forest

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve Under Supervision of the Department of Highways

- A.** PSNH Pole Petition #11-1021 located on Olmstead Avenue.

Informational – to be Received and Filed

- B.** Communication from Peter Burkush expressing his gratitude to the Board for honoring his many years of service to the City with the recent dedication ceremonies of the Peter Burkush Ballfield at Brown-Mitchell Park.
- C.** Communication from Martin Boldin, OYS Director, inviting all Board members to the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment and NH Drug Czar's Forum on Thursday, November 4, 2004 from 7:00 until 8:30 PM at the Carol M. Rines Auditorium for the Health Sciences and the Arts located at 1528 Elm Street.
- D.** Communication from the NH Department of Environmental Services advising of the reissuance of a surface water discharge permit to the Town of Derry Wastewater Treatment Plant.
- E.** Copy of a communication from U.S. Senator Gregg to Chairman Shea relative to the proposed placement of a Federal Bureau of Prisons halfway house within City limits.
- F.** Copy of a communication from U.S. Senator Sununu's Director of Projects to Leo Bernier relative to the proposed placement of a Federal Bureau of Prisons halfway house within City limits.
- G.** Communication from Congressman Bradley relative to the proposed placement of a Federal Bureau of Prisons halfway house within City limits.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN FOREST, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- H.** Rezoning petition submitted by Keach-Nordstrom Assoc., Inc. on behalf of Hanaby Homes, LLC for property located at the northwest corner of Front Street and Hackett Hill Road (TM 767, Lots 4 & 4B).

On motion of Alderman Thibault, duly seconded by Alderman Lopez, it was voted that the rezoning petition be tabled pending report from the Planning Department.

- 4.** Nominations to be presented by Mayor Baines, if available.

There were no nominations presented by Mayor Baines.

- 5.** Reappointment of Dennis Smith, Aldermanic alternate on Conduct Board, term to expire October 1, 2007.

On motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted that Dennis Smith be reappointed as the Aldermanic alternate on the Conduct Board, term to expire October 1, 2007.

OTHER BUSINESS

- 6.** A report of the Committee on Lands and Buildings was presented recommending that a request of the Airport Director to be authorized to negotiate and execute an agreement with Aerohex Condominium Association owners to acquire their property interests and facilities on the southwest ramp in exchange for the Airport property and the construction of replacement hangars on the northeast ramp, authorizing execution of agreements and deeds as may be required to affect the exchange be approved.

Alderman Thibault moved to accept, receive and adopt the report of the Committee on Lands and Buildings. Alderman Osborne duly seconded the motion.

Alderman DeVries asked if Kevin Dillon the Airport Director would answer a quick question or two for me. Kevin, could you tell me how this is affecting...currently, that property is not taxable, will that be changing the taxable status of that property.

Mr. Dillon stated that is correct. The development that will be constructed in the northeast ramp is a private development so it will put it on the tax rolls both the land as well as the improvements on it.

Alderman DeVries stated the Airport is not requiring an exchanged property in Londonderry correct.

Mr. Dillon replied that is correct.

Mayor Baines called for a vote on the motion to accept the report. There being none opposed, the motion carried.

7. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zoned IND (General Industrial) to R-SM (Residential Suburban Multifamily) by extending the R-SM zone district on a portion of property identified as TM 478, Lot 8, located on Candia Road.”

On motion of Alderman Thibault, duly seconded by Alderman Forest, it was voted that the Ordinance be read by title only, and it was so done.

This Ordinance having had its second presentation by title only, on motion of Alderman Osborne, duly seconded by Alderman DeVries, it was voted that the Ordinance pass and be Enrolled.

On motion of Alderman Thibault, duly seconded by Alderman Smith, it was voted to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

Mayor Baines called the meeting back to order.

10. A report of the Committee on Accounts, Enrollment and Revenue Administration was presented advising that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zone IND (General Industrial) to R-SM (Residential Suburban Multifamily) by extending the R-SM zone district on a portion of property identified as TM 478, Lot 8, located on Candia Road.”

was properly enrolled.

On motion of Alderman Forest, duly seconded by Alderman Shea, it was voted to accept, receive and adopt the report of the Committee as presented.

11. Communication from Kevin Dillon, Airport Director, requesting authorization from the Board of Mayor and Aldermen to extend his authority to enter into multi-year agreements on behalf of the Airport or City when situations necessitate immediate commitment or approval for another year.

On motion of Alderman O’Neil, duly seconded by Alderman Porter, it was voted to authorize the Airport Director to enter multi-year agreements when immediate commitment or approval is necessary.

- 12.** Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

On motion of Alderman Roy, duly seconded by Alderman Garrity, it was voted that that sewer warrant in the amount of \$73,228.85 be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen.

- 13.** Communication from Ms. Linda Persons, District Director of the NH Chapter of MDA, requesting City sponsorship for the 7th Annual Black & Blue Ball being held on November 13, 2004 at the Center of NH.

Alderman O’Neil stated looking back traditionally we don’t, to the best of my knowledge, we don’t get involved...am I correct?

Mr. Clougherty replied that is correct, Alderman. There is \$8,600 within Civic Contributions if you were to use it there.

Alderman O’Neil moved to receive and file with regret. Alderman Thibault duly seconded the motion. The motion carried with Aldermen Roy and Gatsas duly recorded in opposition.

- 14.** Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zoned IND (General Industrial) to R-SM (Residential Suburban Multifamily) by extending the R-SM zone district on a portion of property identified as TM 478, Lot 8, located on Candia Road.”

On motion of Alderman O’Neil, duly seconded by Alderman DeVries, it was voted that the Ordinance be read by title only, and it was so done.

This Ordinance having had its third and final reading by title only, on motion of Alderman Roy, duly seconded by Alderman Thibault, it was voted on passing same to be Ordained.

TABLED ITEMS

- 15.** Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred fifty Thousand Dollars (\$250,000) for the 2005 CIP 811305, Revaluation Update Project.”

(Tabled 08/03/2004)

This item remained tabled.

- 16.** Communication from the Board of Assessors requesting all or some measure of dispensation from the 98% spending directive in order to address and resolve several issues.
(Tabled 10/05/2004)

This item remained tabled.

- 17.** Communication from Leo Bernier, City Clerk, requesting dispensation from the Board's 98% spending directive due to the unanticipated costs associated with both the September and upcoming November elections and requesting that \$9,500 be set aside in contingency funds for this purpose.
(Tabled 10/05/2004)

This item remained tabled.

18. NEW BUSINESS

Alderman Gatsas stated I assume you're still waiting for the new Procurement Code.

Mayor Baines replied I believe that is almost finalized, am I correct? Frank, are you here?

Solicitor Clark stated Frank and I have been working on it. We've met with the Finance Department to go through it and I believe it's gone out to all of the department heads for their final comments and should be at the Board's next meeting.

Mr. Thomas stated as Tom Clark mentioned it is finalized as far as I'm concerned and the Solicitor's office. The final comments were added from the Finance Department and it went out e-mail to all the other departments and I expect to receive the final comments from the Police Department by the end of this week. We may sit down with the departments to review those comments.

Alderman Gatsas asked we will be supplied with a copy of it beforehand in a side-by-side comparison with what's changed from the old one.

Mr. Thomas replied we'll give you a copy.

Alderman Gatsas asked can you give us an analysis of what's changed in the old one versus the new one.

Mr. Thomas replied it's a complete write up.

Mayor Baines interjected maybe an executive summary, Frank, of the major changes.

Mr. Thomas stated I can provide that.

On motion of Alderman O’Neil, duly seconded by Alderman Thibault, it was voted to recess the meeting to meet with the Chief Negotiator for a negotiating session.

Mayor Baines called the meeting back to order.

Alderman Thibault moved to suspend Rule 26 and ratify and confirm the Association of Manchester Principals Agreement effective today in accordance with the Memorandum of Understanding and cost calculations presented October 19, 2004. Alderman DeVries duly seconded the motion. The motion carried with Aldermen Gatsas, Garrity and Lopez duly recorded in opposition.

There being no further business to come before the Board, on motion of Alderman Shea, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

City Clerk